

PATENT

ATTORNEY DOCKET NO.: MSF-7-CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Pressly et al	)	Examiner:	Unknown
S/N:	10/611,648	)	Art Unit:	3763
Filed:	07/01/2003	)	Conf. No.:	2083
Title:	Safety Syringe	)		

REQUEST FOR CORRECTION OF FILING RECEIPT

Office of Initial Patent Examination  
Attn: Filing Receipt Corrections  
Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the Examiner's Amendment of February 6, 2003, in the parent application, a copy of which is attached, Applicant respectfully requests that the Domestic Priority data of this application be replaced with the following:

--This application is a CON of 09/593,974 06/13/2000 PAT 6,605,073  
which is a CON of 09/139,008 08/24/1998 PAT 6,074,370  
which is a CON of 08/783,665 01/15/1997 PAT 5,800,403  
which is a CON of 08/481,093 06/07/1995 PAT 5,613,952  
which is a CIP of 08/359,001 12/16/1994 ABN  
which is a CON of 07/813,115 12/23/1991 PAT 5,211,629--

A copy of the incorrect Filing Receipt is attached.

Robertson & Mullinax, LLC  
P O Box 26029  
Greenville, SC 29616-1029  
(V) 864 987 9696  
(F) 864 987 9686

10/611,648

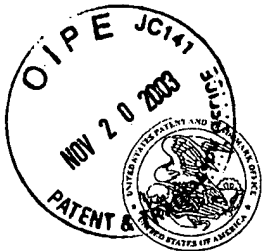
Please charge any fees required or credit any overpayments to Deposit Account  
50-2802.

Respectfully submitted,  
ROBERTSON & MULLINAX, LLC

A handwritten signature in black ink, appearing to read "J. B. Mullinax". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

J. Bennett Mullinax  
Reg. No. 36,221

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/611,648	07/01/2003	3763	0.00	MSF-7-CON	17	5	3

22827  
DORITY & MANNING, P.A.  
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CONFIRMATION NO. 2083

FILING RECEIPT



\*OC000000010910913\*

Date Mailed: 09/23/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

William B. S. Pressly SR., Greer, SC;  
Charles A. Vaughn SR., Greenville, SC;  
Samuel G. Brockway, Lawrenceville, GA;  
Thomas R. Ellis, Lawrenceville, GA;

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OCT 2 2003

Domestic Priority data as claimed by applicant

This application is a CON of 09/593,974 06/13/2000 PAT 6,605,073  
which is a CIP of 08/359,001 12/16/1994 ABN  
which is a CON of 07/813,115 12/23/1991 PAT 5,211,629

ROBERTSON & MULLINAX

Foreign Applications

If Required, Foreign Filing License Granted: 09/23/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

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SEP 25 2003

DORITY AND MANNING



Safety syringe

Preliminary Class

604

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Application/Control Number: 09/593,974

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Art Unit: 3763

## EXAMINER'S AMENDMENT/COMMENTS

### *Claim Objections*

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 44 and 45 have been renumbered 45 and 46.

### *EXAMINER'S AMENDMENT*

2. An **examiner's amendment** to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with J. Bennett Mullinax on February 6, 2003.

The application has been amended as follows:

#### **In the specification:**

**In line 2**, after "This application is", please insert – a continuation of U.S. application serial number 09/139,008, now U.S. Patent No. 6,074,370, which is a continuation of U.S. application serial number 08/783,665, now U.S. Patent No. 5,800,403, which is a continuation of U.S. application serial number 08/481,093, now U.S. Patent No. 5,613,952, which is --.

#### **In the claims:**

- **Claims 40 and 45, line 4:** "sever" has been deleted, and -brake- has been inserted instead.

3. The following is an examiner's statement of **reasons for allowance**: the art of record does not teach or render obvious a process of retracting a needle at the completion of an injection with a hypodermic syringe having the step of forcing a plunger of the syringe downwardly to force a needle support deformable base downwardly and break sacrificial supports.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cris L. Rodriguez whose telephone number is (703) 308-2194. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Casler can be reached on (703) 308-3552. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3590 for regular communications and (703) 305-3590 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0858.

February 6, 2003

  
Cris L. Rodriguez  
Examiner  
Art Unit 3763

BRIAN L. CASLER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700